



U.S. Department of Justice

*United States Attorney
Southern District of New York*

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August 31, 2023

BY ECF

The Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Bonner v. FBI & CIA*,
No. 21 Civ. 2166 (PAE)

Dear Judge Engelmayer:

This Office represents defendants the Federal Bureau of Investigation and Central Intelligence Agency (together, the “government”) in the above-referenced Freedom of Information Act (“FOIA”) matter. In its opinion and order dated August 9, 2023, the Court granted the government’s motion for summary judgment with respect to their application of FOIA Exemption 3 to parts of the records at issue in this case, and denied plaintiff Raymond Bonner’s cross-motion. (ECF No. 69). On August 22, 2023, Bonner moved for reconsideration of the Court’s order. (ECF Nos. 72, 73). The government’s deadline to oppose the motion for reconsideration is presently Tuesday, September 5, 2023. *See* Local Civ. R. 6.1(b), 6.3.

Respectfully, we write to request a brief extension of that deadline, to Friday, September 8, 2023. Pursuant to the Court’s prior orders, the government was required to file supplemental papers in support of the exemption claims remaining at issue in this case, as well as an index identifying each disputed redaction, by August 28, 2023. (ECF Nos. 68, 69). Those submissions (ECF Nos. 74-77), in particular the index, required considerable time to draft on the part of both the undersigned counsel and the defendant agencies, which limited their ability to begin preparing their opposition brief. The Labor Day weekend will further hinder counsel’s ability to finalize its filing, especially insofar as it requires consultation with personnel at the defendant agencies. Finally, both of the undersigned counsel either have been, or will be, out of the office at times this week and next week to attend to family obligations. For all these reasons, the government respectfully requests a brief extension to complete its filing.

This is the government's first request for an extension of its deadline to oppose the motion for reconsideration, and plaintiff's counsel consents to the request.

We thank the Court for its consideration of this letter.

Respectfully submitted,

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Southern District of New York

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cc: *Plaintiff's counsel* (by ECF)

GRANTED. SO ORDERED.

Dated: August 31, 2023
New York, New York



PAUL A. ENGELMAYER
United States District Judge